

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 1:20-cr-01566-KWR

TIMOTHY CHISCHILLY, and
STACEY YELLOWHORSE,

Defendants.

UNOPPOSED JOINT MOTION
TO SUSPEND SCHEDULING ORDER DEADLINES

Defendant Timothy Chischilly, through his counsel of record, Robert R. Cooper, and Defendant Stacey Yellowhorse, through her counsel of record, Carey C. Bhalla and Joseph E. Shattuck, respectfully request the Court suspend the pretrial deadlines contained in the current scheduling order, and as grounds state:

1. The Court has found that the nature of the prosecution, a first-degree murder prosecution involving extensive discovery, is complex and unusual within the meaning of 18 U.S.C. § 3161(h)(7)(B)(ii). *See* Amended Order Designating Case as Complex [Doc. No. 46].
2. On December 1, 2020, a Scheduling Order was entered in this matter. *See* Scheduling Order [Doc. No. 55].
3. Undersigned counsel for Timothy Chischilly was recently appointed on February 23, 2021 after the withdrawal of his previous attorney.

4. Several deadlines are imminent, such as pretrial motions due today, expert notices due March 5, 2021, and *Daubert* motions and objections to expert testimony due on April 2, 2021. *See* Scheduling Order [Doc. No. 55].

5. Counsel for Mr. Chischilly has not had the opportunity to review the voluminous discovery nor conduct investigations and is not yet in a position to meet any of the deadlines contained in the Scheduling Order.

6. Undersigned counsel have been in communication with counsel for the Government and all parties are in agreement that the current scheduling order deadlines should be suspended until such time that a new scheduling order can be agreed upon.

7. The parties are working together to prepare a new scheduling order for submission to the Court and will submit a Stipulated Amended Scheduling Order on or before April 2, 2021.

WHEREFORE, Defendants respectfully request this Court enter an order suspending the pretrial deadlines in the current Scheduling Order until the parties submit a stipulated amended scheduling order, and for such other and further relief which the Court deems just.

Respectfully Submitted,

/s/ Robert R. Cooper
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CERTIFICATE OF SERVICE

I hereby certify that on March 1, 2021 I filed the foregoing electronically through the CM/ECF system, which caused all counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/ Robert R. Cooper
ROBERT R. COOPER